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**From:** McGuire, Karen [Mcguire.Karen@epa.gov]  
**Sent:** 3/30/2018 9:25:11 PM  
**To:** Dunn, Alexandra [dunn.alexandra@epa.gov]  
**CC:** Zucker, Audrey [Zucker.Audrey@epa.gov]; Olson, Bryan [Olson.Bryan@epa.gov]  
**Subject:** FW: Revised Coakley Testimony  
**Attachments:** Coakley draft final 1 5pm.docx

Alex – the one change we predict will raise concerns for DOJ/EPA HQ is the paragraph about the impact of the legislation – the one with yellow highlight. We've offered an alternative – let us know what you think.

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**From:** Dunn, Alexandra  
**Sent:** Friday, March 30, 2018 3:10 PM  
**To:** Olson, Bryan <Olson.Bryan@epa.gov>  
**Cc:** McGuire, Karen <Mcguire.Karen@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>  
**Subject:** RE: Revised Coakley Testimony

I have some edits and questions to make this I hope a bit more clear and helpful. Please see attached.

I have a call in to Troy Lyons in HQ.

Alexandra Dapolito Dunn, J.D.  
Regional Administrator

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**From:** Olson, Bryan  
**Sent:** Friday, March 30, 2018 12:49 PM  
**To:** Dunn, Alexandra <dunn.alexandra@epa.gov>  
**Cc:** McGuire, Karen <Mcguire.Karen@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>  
**Subject:** Fwd: Revised Coakley Testimony

Alex,

Attached is the latest version that we have now worked through OLEM, OECA, OGC, and DOJ. I assume you or Doug will let OCIR know about this. Please let us know what you think.

I want to thank Audrey, Bob and Melissa from Karen's and my staff who worked hard to make this understandable despite many contradictory and confusing comments.

I should note that it is also still relatively consistent with what we said to the commission last week.

Bryan

Sent from my iPhone

Begin forwarded message:

**From:** "Zucker, Audrey" <[Zucker.Audrey@epa.gov](mailto:Zucker.Audrey@epa.gov)>  
**Date:** March 30, 2018 at 12:15:57 PM EDT  
**To:** "Olson, Bryan" <[Olson.Bryan@epa.gov](mailto:Olson.Bryan@epa.gov)>, "McGuire, Karen" <[Mcguire.Karen@epa.gov](mailto:Mcguire.Karen@epa.gov)>  
**Cc:** "Taylor, Melissa" <[Taylor.Melissag@epa.gov](mailto:Taylor.Melissag@epa.gov)>, "Cianciarulo, Robert" <[Cianciarulo.Bob@epa.gov](mailto:Cianciarulo.Bob@epa.gov)>  
**Subject:** FW: Revised Coakley Testimony

I have incorporated some of Charles's language, but made clear that the new information is technical information – not the proposed legislation. Take a look.

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**From:** Maher, Robert (ENRD) [<mailto:Robert.Maher@usdoj.gov>]  
**Sent:** Friday, March 30, 2018 11:56 AM  
**To:** Zucker, Audrey <[Zucker.Audrey@epa.gov](mailto:Zucker.Audrey@epa.gov)>; Mackey, Cyndy <[Mackey.Cyndy@epa.gov](mailto:Mackey.Cyndy@epa.gov)>; Openchowski, Charles <[openchowski.charles@epa.gov](mailto:openchowski.charles@epa.gov)>; Wall, Gregory <[Wall.Gregory@epa.gov](mailto:Wall.Gregory@epa.gov)>; Patterson, Kenneth <[Patterson.Kenneth@epa.gov](mailto:Patterson.Kenneth@epa.gov)>  
**Cc:** Olson, Bryan <[Olson.Bryan@epa.gov](mailto:Olson.Bryan@epa.gov)>; McGuire, Karen <[Mcguire.Karen@epa.gov](mailto:Mcguire.Karen@epa.gov)>  
**Subject:** RE: Revised Coakley Testimony

This looks OK to me.

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**From:** Zucker, Audrey [<mailto:Zucker.Audrey@epa.gov>]  
**Sent:** Friday, March 30, 2018 10:50 AM  
**To:** Mackey, Cyndy <[Mackey.Cyndy@epa.gov](mailto:Mackey.Cyndy@epa.gov)>; Openchowski, Charles <[openchowski.charles@epa.gov](mailto:openchowski.charles@epa.gov)>; Wall, Gregory <[Wall.Gregory@epa.gov](mailto:Wall.Gregory@epa.gov)>; Patterson, Kenneth <[Patterson.Kenneth@epa.gov](mailto:Patterson.Kenneth@epa.gov)>; Maher, Robert (ENRD) <[RMaher@ENRD.USDOJ.GOV](mailto:RMaher@ENRD.USDOJ.GOV)>  
**Cc:** Olson, Bryan <[Olson.Bryan@epa.gov](mailto:Olson.Bryan@epa.gov)>; McGuire, Karen <[Mcguire.Karen@epa.gov](mailto:Mcguire.Karen@epa.gov)>  
**Subject:** FW: Revised Coakley Testimony

Thank you all for your quick review. We've added some new language to the clean version sent by OECA last night, and would like your thoughts. Our RA is supportive of including the site specific substance we've added in the final paragraph.

Audrey

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**From:** Mackey, Cyndy  
**Sent:** Thursday, March 29, 2018 6:07 PM  
**To:** Olson, Bryan <[Olson.Bryan@epa.gov](mailto:Olson.Bryan@epa.gov)>

**Cc:** James Woolford ([Woolford.James@epa.gov](mailto:Woolford.James@epa.gov))  
<[Woolford.James@epa.gov](mailto:Woolford.James@epa.gov)>; Kelly, Albert <[kelly.albert@epa.gov](mailto:kelly.albert@epa.gov)>;  
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Openchowski, Charles <[openchowski.charles@epa.gov](mailto:openchowski.charles@epa.gov)>; Maher, Robert  
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<[patterson.kenneth@epa.gov](mailto:patterson.kenneth@epa.gov)>; Gworthma <[worthman.gary@epa.gov](mailto:worthman.gary@epa.gov)>  
**Subject:** FW: Revised Coakley Testimony

Bryan,

Attached is a clean copy of the revised Coakley testimony. This version incorporates edits submitted today by OSRE, OGC, OLEM and DOJ to the Region's draft testimony that we received last night.

In general, the revised version takes a more factual approach and tone for the testimony. Statements about what New Hampshire can and cannot do, as well as statements about the legal effect of the entered Consent Decrees have largely been deleted. The revised version focusses on provisions contained in the Consent Decrees, the process for entering the Consent Decrees and it highlights measures that can be taken after the Consent Decrees were entered to ensure the remedy's protectiveness.

Please let me know if you would like to discuss this further, and thanks for sharing the draft testimony with us.

*Cyndy Mackey*

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<Coakley DOJ Redline\_osrerev (003).docx>  
<Coakley draft final 1 redline ADD w caseteam com.docx>